

# Liberal advocates of a police state turn savagely against Edward Snowden

**David North, Eric London****14 June 2013**

Since Edward Snowden's exposure of the Obama administration's illegal domestic and international surveillance program, the political establishment and the media have been engaged in a non-stop campaign to discredit the young man and besmirch his character and reputation. To their dismay, the public is not falling for the anti-Snowden hate campaign. He is seen as a man with principles, and his warnings of a massive government conspiracy against the people's democratic rights have struck a chord with millions who resent and fear the increasing invasion of their privacy by government snoopers. If a nation-wide vote were taken to determine whom the American people found more trustworthy and believable—Snowden or his persecutors in the Obama administration, Congress and the media—the 29-year-old Ed Snowden would win hands-down.

The campaign to discredit Snowden comes as no surprise. But what is particularly significant about the media campaign is the explicitly anti-democratic and authoritarian arguments that are being advanced to condemn him.

Even if the actions of the government were illegal and violated the constitutional rights of the American people, so argues the media, Snowden owed the government total and unquestioned obedience. The loyalty he owed to the state outweighed whatever moral and political obligations he felt to inform his fellow citizens of the government's subversion of democracy.

This argument is being advanced most vehemently by well-known liberals, some of whom burnished their reputation as opponents of the Bush administration's erosion of democratic rights in the aftermath of 9/11. Jeffrey Toobin, for example, in an article in the current issue of the *New Yorker*, baldly denounces Snowden as "a grandiose narcissist who deserves to be in prison."

With consummate cynicism, Toobin dismisses Snowden's concerns over the domestic spying program of the National Security Agency. "What, one wonders, did Snowden think the NSA did?" Since Toobin doesn't worry any longer about NSA surveillance, he can't understand why Snowden

should make such a big deal about it.

Even more remarkable than the article by Toobin is an essay by University of Chicago Professor Geoffrey R. Stone, published on June 10 on the *Huffington Post*. What makes this essay politically significant is that it advances arguments in support of authoritarian rule that totally contradict positions previously advanced by Professor Stone.

Just a decade ago, in 2004, Professor Stone wrote a book entitled *Perilous Times: Free Speech in War Time from the Sedition Act of 1798 to the War on Terror*. This work provided a historical account of war-time attacks on democratic rights by American governments. Discussing his book in a television interview, Stone reviewed the impact of the 1798 Sedition Act and warned:

"One of the important lessons is that if American citizens want to have the freedoms that are guaranteed to them, they cannot sit back passively and allow elected officials and judges to protect their rights for them. It's very important for the American people to recognize that if they want their freedoms—want their liberties—they have to take responsibility for preserving them in these times." (The interview can be viewed [here](#))

Professor Stone is singing a very different tune today. Precisely because Snowden did not "sit back passively" but, instead, took responsibility for the defense of democratic rights, Stone declares that he "is most certainly a criminal who deserves serious punishment."

The essence of Stone's argument is that Snowden, having accepted government employment, forfeited all right, let alone responsibility, to expose illegal actions by the government. The argument is based on authoritarian premises that are not fundamentally different from those that prevailed in Nazi Germany. As German historian Ingo Müller wrote in *Hitler's Justice: The Courts of the Third Reich*, the Nazi Supreme Court "defined the 'legal nature' of the civil service as 'loyalty, obedience, and conscientious performance of duty' and had referred to civil servants as 'the political troops of the Führer in the area of administration.'" [p. 83]

Stone advances a concept of employee discipline that closely resembles the Nazi ethos. In a passage that exposes Stone's repudiation of essential democratic principles, he writes:

"But what if the employee decides, in his own wisdom, that some classified information doesn't need to be classified or that it would be good for the public to know the classified information? Should the employee be allowed to make that judgment? Merely to state the question is to answer it. *There is no reason on earth why an individual government employee should have the authority, on his own say so, to override the judgment of the elected representatives of the American people and to decide for the nation that classified information should be disclosed to friends and enemies alike. Such an act is a complete usurpation of the rule of law.* [Emphasis added].

This is an astonishing declaration! "*No reason on earth...*" ? In other words, an employee of the state must keep his mouth shut and refrain from exposing criminal activity no matter how injurious it may be to the rights of the American people. "*No reason on earth*" ! What if a civil servant uncovers a secret memorandum authorizing the assassination of a citizen? Or plans for the mass incarceration of political dissidents?

Professor Stone suggests that a civil servant should be provided an official forum for the airing of his concerns through the establishment of "an independent panel of experts who can make a formal and professional determination whether the information at issue should be classified."

Far from providing state employees with a means to expose government crimes, Stone's procedure would create another layer of bureaucracy dedicated to the stifling of dissent within the ranks. A potential whistle-blower, were he foolish enough to bring his concerns to the type of "panel of experts" suggested by Stone, would soon find himself under surveillance and fearful for his life.

Acknowledging that no such "panel" at present exists, Stone, the erstwhile critic of government violations of democratic rights, poses the question: "What should Edward Snowden have done?" The answer offered by Professor Stone is: "Probably, he should have presented his concerns to *senior, responsible* members of Congress." [Emphasis added]. An interesting distinction! What is meant by "senior, responsible members of Congress"? Should Snowden, had he decided to discuss his concerns with an elected official, have avoided *junior, irresponsible* members of Congress (i.e., those who have not been given high-level security clearances)?

Drawing his tirade to a conclusion, Stone declaims that Ed Snowden had no right to decide that he knew "better than

anyone else in government how best to serve the national interest." Once again, Stone advances an argument that conforms entirely with the legal principles of the Third Reich, which insisted on the subordination of the individual to the *Führer*. Müller recounts the official denunciation by the Nazi court of a civil servant who counterposed his individual sentiments to the will of the state. In words that are in spirit eerily similar to those of Stone, the fascist authorities denounced the hapless civil servant for holding "notions about his freedom, according to the crassest form of the liberalist view ... Freedom to him means the authority to refuse to carry out all duties not explicitly prescribed by the law, as he himself sees fit." [p. 84]

How does one explain the transformation of Professor Geoffrey R. Stone from a critic of government violations of civil liberties into a persecutor of those who seek to defend the Bill of Rights? The same question could be asked in relation to the evolution of Jeff Toobin. Clearly, more is involved than individuals changing their minds. The evolution of these two people reflects a far broader social and political process. The breakdown of democratic institutions proceeds alongside the dissolution of any significant support for democratic rights within the ruling elite and its faithful retainers among the wealthiest 5 percent of the population. Aware of their distance from the social interests of the broad masses of the population, they look to the state to defend their own wealth and privileges.

The rich and the privileged hate Snowden because he has defied the state that protects their interests. He failed to show proper deference to their system and their secrets. He has exposed the massive conspiracy that is being directed in Washington against the democratic rights of the people. And that is why they are determined to destroy Ed Snowden.

It is the solemn duty of the working class to come to his defense.

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*The World Socialist Web Site and Socialist Equality Party are organizing a campaign in defense of Snowden and democratic rights. For more information and to get involved, click here.*



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